

Medway Council
Meeting of Children and Young People Overview and
Scrutiny Committee

Thursday, 2 March 2023

6.30pm to 10.22pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Kemp (Chairman), Opara (Vice-Chairman), Barrett, Carr, Cooper, Sylvia Griffin, Howcroft-Scott, Johnson, Mahil, Osborne, Purdy, Tejan, Tranter and Mrs Elizabeth Turpin

Co-opted Members with voting rights on educational issues only:

Lenny Willams (C of E Diocese Representative, Rochester Diocesan Board of Education), Georgina Bentaleb (Parent Governor Representative) and Akinola Edun (Parent Governor Representative)

Added members without voting rights:

Victoria Aspin (Teacher Representative) and Carl Guerin-Hassett (Headteacher Representative)

Substitutes: Shenda Smith (for Lisa Scarrott MPCF)

In Attendance: Aretha Banton, Strategic Head of Education Quality and Inclusion
Maria Beaney, Finance Business Partner, Education
Stephanie Davis, Democratic Services Officer
Lee-Anne Farach, Director of People - Children and Adults' Services
Hazel Fisher, Director of Transformation and Programmes, London Region. NHS England,
James Harman, Head of Children's Services Commissioning
Sabahat Hassan, Head of Partnerships and Engagement, South East Commissioning Directorate, NHS England
Donna Marriott, Assistant Director, Children's Social Care
David Reynolds, Head of Revenue Accounts
Rebecca Smith, Head of Service, Education

638 Apologies for absence

Apologies for absence were received from Councillor Ahmed, Councillor Thorne, Clive Mailing (Roman Catholic Church Representative), and Lisa Scarrott (Medway Parent and Carers Forum).

639 Record of meeting

The record of the meeting held on 5 January 2023 was agreed and signed by the Chairman as correct.

640 Urgent matters by reason of special circumstances

There were none.

641 Disclosable Pecuniary Interests or Other Significant Interests and Whipping

Disclosable pecuniary interests

Councillor Opara declared a DPI on item 9 (Children's Social Care Sufficiency Strategy 2023-2025) as her company One Place Homes Ltd is a supported accommodation provision. She advised that she would leave the room during the discussion of this item.

Other significant interests (OSIs)

There were none.

Other interests

Councillor Cooper declared an interest on item 9 (Children's Social Care Sufficiency Strategy 2023-2025) as she is a Governor at Rivermead School.

642 Changes to Children's Specialised Cancer Services Principal Treatment Centre Programme - South London and South East England

Discussion:

The Director of Transformation and Programmes, London Region. NHS England introduced the report which sought a decision from the Committee on whether the reconfiguration of the treatment centre constituted a substantial variation of a health service. This was a period of pre consultation on the service change. The combining of the principal centre and that of a paediatric centre on one site was deemed the best option for children receiving treatment.

Members raised several questions and comments which included:

It was commented that the main question was whether Medway felt the need to participate in a joint overview and scrutiny committee over the proposals.

Practicalities of Joint Health Overview Scrutiny Committee (JHOSC) - it was asked what value a JHOSC would add and what the potential delays could be to the proposal timeline. Additionally what decisions had been made by the other Authorities that had been consulted with. The Director of Transformation and Programmes said that children from all the Authorities consulted attended the Royal Marsden and St Georges Hospitals for treatment. Kent County Council had made the decision that they did not view the proposals as a substantial variation but wanted to be engaged with during the consultation process. East Sussex County Council also made the decision that this was not a substantial variation but wanted to be able to submit a letter if needed to a JHOSC if one was formed. South East London Authorities indicated they were likely to come to a decision of no substantial variation. South West London Boroughs and Surrey County Council had not come to a final conclusion but were likely to decide that this was a substantial variation as the hospitals involved were within their authority area.

The proposals were regarded by NHS England as a substantial variation and as a result they would run a public consultation to get a view from stakeholders before a final decision would be made on the appropriate site.

Impact on Medway Children- it was asked that if either of the identified options for the site was to progress, what the impact and potential outcomes would be for Medway children. The Director of Transformation and Programmes, NHS England, stated that Professor Mike Richards who was commissioned for an independent view, had concluded that having a principal treatment centre on the same site and a paediatric intensive care unit was a good decision. The clinicians on the clinical commissioning reference group also held the same view that it would benefit children to receive holistic treatment on one site. The premise of the proposals was to improve patient experience as well enhance better outcomes for children.

Travel - the proposed sites would mean further travel for some families, with improved public transport access for all families by over 90% but a decrease in ease of driving access of 50% for families to St Georges Hospital and 70% to the Evelina Centre. Good travel transport systems would continue to be made available for very vulnerable children and travel options for all would form an extensive part of the equality, diversity and impact assessment.

It was commented that it was important that NHS England engage comprehensively with Medway residents as part of their consultation process to which the officer agreed that they would welcome input from Medway Engagement Officers as part of the process.

Decision:

The Committee noted the report and agreed that:

- a) The proposal from NHS England on changes to the children's cancer specialist treatment centres does not constitute a substantial variation or development in the provision of health services.
- b) NHS representatives be invited to attend this Committee and present an update at an appropriate time.
- c) Medway officers participate in the engagement and consultation process and the Committee be sighted on development of this process.

643 Annual Report on School Performance for the Academic Year 2021 to 2022

Discussion:

The Head of Service, Education introduced the report which summarised the activities in Medway's schools to raise achievement during the academic year 2021-22. It was clarified that the data in the report in relation to testing was for the period of 2019/20, prior to the Covid 19 Pandemic as there was no testing of pupil outcomes and exams between 2019 and 2021.

Data – In response to questions on why the report presented 2019 data, the officer said that the report was written using Census data which was currently in arrears. There was some up to date data available online, but the Department for Education (DfE) was however clear that the data set was yet to be officially cleared and published. It was not reliable and should not be considered at local authority or national level and the data could not be used to hold schools to account until they had been finalised.

It was further asked why the report presented data on exclusions from 2016 to which the officer responded that the data went that far back in order to illustrate a period of time and to present a clear picture and trend. The important analysis was to identify that whilst instances of permanent exclusions remained below national average, pupil suspension on secondary schools remained above national average and was an area of concern.

It was asked that data contained in the report which included non-Medway pupils be stripped back and for data to be provided that was Medway specific on pupil ethnicity by school phase.

Absence – it was commented that absence and persistent absence remained high in Medway, with a pre pandemic figure of 13.8%. The officer said that gathering data on absence continued to be a priority. The data presented was gathered from the census and was 2 years in arrears. Medway still experienced difficulties with high instances of absence and an attendance alliance had been set up to collaborate with schools across Medway and Kent to tackle this issue. Persistent absence was a national priority for all authorities as post pandemic, figures remained high.

Key Stage 5 – it was commented that achievement was below national average, and it was asked what was being done at the end of secondary school education to support pupils to ensure they were able to move onto further education, employment, or training. The elevated levels of Special Education Mental Health (SEMH) pupils in Pupil Referral Units were a concern and this may be attributed to the historical wider issues with mental health support. It was also asked what was being done to improve outcomes for that cohort. The officer confirmed that a Post 16 review had been commissioned working with education leaders, and officers were in the process of analysis and evaluation of the information gathered in order to devise strategies to improve outcomes for young people, as well as meet their aspirations through the breadth of offer available. The safety valve intervention programme sought to work identify specialist provision and resources for pupils with SEND as well as those with SEMH and a wider spectrum of needs. It was envisaged, as made clear by the DfE for Pupil Referral Units, to have a greater involvement in SEND due to an increase in need and to provide resource for pupils with SEMH. This work would be reported as it progressed.

Special Educational Needs and Disabilities – it was asked if schools received adequate support from the Local Authority to prevent instances of suspension and exclusions from schools. The officer said that this was an area of focus for the department and was part of the safety valve intervention programme. Some schools had an extensive range of resources in place to support pupils with SEND whilst others did not. The aim was for all schools to have a dedicated range of resources in place to support a range of intervention. Through the trauma informed work and thrive approach, partners were working collaboratively on the core offer that children with SEND would receive in schools to ensure uniformity across providers, this included strengthening commission plans and routes of accountability.

English Baccalaureate (EBacc) - The principle of directing pupils to a mix of qualifications may work better in selective than non-selective schools and it was asked if this pathway had a serious impact on outcomes, in particular in non-selective schools. The officer said that there were various pathways of studies that young people could take, the traditional pathway of GCSE or other pathways such as vocational routes or specialised routes. Schools worked extensively to provide different pathways for pupils who may not want to embark on the traditional GCSE routes, with the vocational routes often leading to apprenticeships. There were various vocational pathways that led back to A-level studies should a pupil decide to change their pathways later into higher education. Whilst EBacc was a measure, there were also other measures of pupil outcomes.

Regional Schools Director (RSD) - It was commented that the report highlighted concerns in all areas of education, and it was important that the Committee's comments be conveyed to the RSD. The officer confirmed that they met with the RSD on a termly basis and shared analysis. The concerns raised by the Committee would be conveyed to the RSD.

Decision:

The Committee noted the Annual Schools Performance report.

644 Attendance of the Portfolio Holder for Education and Schools

Discussion:

Councillor Martin Potter, Portfolio Holder for Education and Schools was in attendance and took questions from the Committee.

Members raised several questions and comments which included:

Transport – in response to a question on the effects of the national shortage of taxi drivers, the Cabinet Member said that this was an issue for SEND school transport provision. The Council was working to reduce its reliance as it was an expensive way to fund school transport, and this was an area on ongoing challenge.

Mainstream School Transport - it was asked what consideration had been given to automatic provision of a school bus pass for pupils that lived in rural parts of the borough without having to go through an application process. The Cabinet Member said that whilst he understood that challenge of safe walking routes for pupils in rural areas, it was important the school transport policy be a fair and inclusive process for all. It was agreed that the policy may need to be reviewed to ensure that it was clear on grounds for appeal and did not delay in instances where the school pass would be granted at appeal stage.

Completion of school buildings - In response to a question on the delay for completion of school buildings and the drivers for the delay, the Cabinet Member said that in the instance of the Maritime academy, the school should have been open two years ago. The DfE was responsible for this project which the Council had no control over. Whilst there were associated costs involved in provision of transport for children to the temporary site, it would have cost more to expand current schools and create bulge classes to accommodate the pupils. The children had adapted very well at the Twydall temporary site, experienced very minimal impact from travel and the facilities were excellent.

Attainment- it was commented that there was a lack of mention of attainment in the report and it was asked what level of awareness there was of underperformance of education trusts and the plans for improvement. The Cabinet Member said this was deliberate as it has been extensively covered by the Annual Schools Performance report. The inspection framework stated that there was increased number of good and outstanding school than previously. The attainment data highlighted a downward trajectory despite schools being good overall and this was down to several factors. There had been investment into improvement of attainment prior to Covid but schools were shut down for a lengthy period as a result of the pandemic. This seriously impacted all the hard work that had been done to improve standards, attainment was not where it needed to be but with intensive support, the teaching hub, schools and alliance

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working together to improve standards, it was envisaged that attainment levels would begin rise once again as it was vital to return to the position that Medway was in prior to 2019. The report outlined the efforts to date by improvements boards, engagement and strengthening of leadership and there was confidence that schools were well led.

It was further commented by a Member that achievement of pupils post Covid was a result of a number of factors, which included young people finding that period extremely difficult, issues with inept management of schools on a national level and failings of national teaching. The Cabinet Member said that it was now important to understand the consequences and effect the pandemic had on pupils and to engage with them on support measures.

It was asked and agreed for a briefing note to update members on the situation with Early Career Teachers due to the issues with recruitment in the workforce.

Delay to improvement of attainment levels – it was asked what factors could potentially delay post pandemic recovery and the prospect of securing funding for specialised work to tackle identified factors. The Cabinet Member said that persistent absence was a cause for concern and an area of priority for all in education as a trend had been identified throughout the pandemic period with some families not engaging. It was vital to understand the reasons behind occurrences and to identify ways to address issues. Funding for specialised projects would require lobbying government.

Dynamics – the work of Dynamics, Medway music and education centre was praised as they were considered a centre of excellence. Concern was expressed at the proposals by the DfE and the Arts Council to merge Dynamics with Kent Music which was in the Country's bottom 5% for their music education. It was asked if there would be a plan to ensure that this unique level of music excellence could retain a level of independence. The Cabinet Member said that this would be a decision for Dynamics on the role they take in Medway depending on the outcome of current consultation that was being undertaken. Dynamics was dependant on Arts Council funding and if a model was put in place by them that excluded Dynamics this would result in a huge challenge with funding and would mean there would be another provider in operation in Medway. The most important thing was to continue to advocate for Dynamics as it was one of the best performing music hubs in the Country and their achievements were outstanding.

Grammar Schools- it was asked what exploration had taken place on satellite provision of a grammar school in the Peninsula and what consultation had taken place with families to find out what they wanted in the area. The Cabinet Member said that when putting forward proposals for expansion or new build of a school, standard practice was to engage in informal and then a formal consultation. Any suggested proposal for a site in the Peninsula would go through the same formal process at the appropriate stage. Discussions had taken place with a Trust regarding a potential site for a grammar annex and if the Co-Educational proposals that had been put forward were approved by the Regional Director. The children that attended would be children that would

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otherwise be attending those particular schools. Many children currently travelled into Chatham and Rochester from across the river to attend a grammar school and this was a choice made by their parents which could be seen as a potential positive reason for the provision of a grammar annex in the Peninsula.

Concern was raised at the proposals of changes to increase the Medway test pass rate from 25% to 38% and this may not ensure that Medway children would fill up all the grammar school places and could end up putting considerable strain on non-selective school places. By raising the pass mark and also consideration of an additional site in the Peninsula, there was a risk that the issue with surplus places would remain, and those places would be filled by out of borough pupils.

The Vice - Chairman thanked the Portfolio Holder for his attendance and engagement with Members.

Decision:

The Committee noted the report.

645 Attendance of the Portfolio Holder for Children's Services (Lead Member)

Discussion:

Councillor Josie Iles, Portfolio Holder for Children's Services was in attendance and took questions from the Committee.

Members raised several questions and comments which included:

Judicial Review - the outcome of the judicial review against the Home Office to take any more Unaccompanied Asylum Seeking Children had been unsuccessful, and clarification was sought on the cost to accommodate each child's placement. The Cabinet Member confirmed that the outcome of the judicial review put Medway Children's services in a difficult position due to the impact on sufficiency for Medway children that were currently looked after. The associated costs for placement were variable and it was agreed that details of the actual cost would be provided following the meeting. It was further asked what the cost of the judicial review had been, and the Cabinet Member said it had been approximately £26000.

Corporate Parenting – it was commented that the Corporate Parenting Board had strengthened over the past few years and the direction of travel was encouraging. Awareness of roles and responsibilities by Councillors was an area that required improvement and it was disappointing that the opportunities to attend meetings to gain further understanding of principles underpinning being a good corporate parent were being missed.

Eden House - in response to a request for more information on Eden house the Cabinet Member said that this was a work in progress. The Head of

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Children's Commissioning added that the aspiration was for all provision to be in house. There was more work needed to renovate the other building which was currently being scoped to bring it to the required level of standard to accommodate and support children with complex needs in the future.

Education Champions – in response to a question on outcomes of the work of the education champions, the Cabinet Member said that the work to date had been encouraging. Champions had met with the Head and Deputy Head of virtual schools regarding several issues including the placement of children outside of Medway and the concern regarding the transition process was an area that would be further explored.

Funding – in response to a question on whether the service would bid for more funding from the DfE when the allocated funding to set up the multidisciplinary team ended on 31 March 2023, The Assistant Director, Children's Social Care said that a proposal was being developed. The bid had yet to be submitted as the call for applications had yet to be made by the DfE. The proposals being put together would be for a broader range of funding for areas such as data support, recruitment, and quality assurance.

Increase in Children in Care - it was asked how the increasing number of children coming into care impacted the budget. The Cabinet Member stated that this remained a challenge. The number of children coming into care based on the improvements made to services should start to level off as progress continued to be made, but that this was dependent on wider societal determinants which could not be pre-empted.

The Vice Chairman thanked the Portfolio Holder for her attendance and engagement with Members.

Decision:

The Committee noted the report.

646 Childrens Social Care Sufficiency Strategy 2023-2025

Discussion:

The Head of Children's Services Commissioning introduced the report which followed on from the last sufficiency strategy. The strategy outlined sufficiency of services to meet the needs of children in Medway, and plans to address the challenges, and improve outcomes for children and young people.

Members raised several questions and comments which included:

Placement of Children outside of Medway - in response to a question on how rigorous the scrutiny process of children placed outside of Medway was, the Head of Children's Commissioning said that there is a robust process of oversight for children in care who were placed outside of the authority boundaries. These placements occurred for several reasons including serious

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safety concerns. The oversight of the arrangements was extensive with a high level of face-to-face visits. The providers were aware of the expected high standards that were required to be adhered to and social workers were aware of the processes involved in ensuring the standards were maintained.

In house provision - in response to comments regarding the closure of children's homes and now the reopening of the same homes and the frustration that this had been a full circle process, officers acknowledged that in house children's home provision was a process that had gone full circle and the actions that were being taken was in response to current need. There was a demand for high quality local provision for local children which was being fuelled by the rapid changes in the market that was not evident four years ago. There was not a shortage of children's homes placements four years ago at a time when most local authorities closed a lot of their inhouse provision. Due to the national reduction in provision, many local authorities were now in the same position as Medway and were trying to respond through reopening their children's homes.

An independent report on children's homes identified issues with market value, and staffing shortages, which was not an uncommon picture across the country. The priority for Medway was to try to maximise the benefits of being a unitary authority by working in partnership to try and improve outcomes by building on learning from national practice of the best solutions and to invest in own staff against reliance on the market.

The Assistant Director of Children's Services added that there had been ongoing work in the last year on how to tackle issues and a regional approach on how to manage sufficiency across the market.

Regional Network – in response to a question on what the children's cross regional network had done, the Head of Children's Commissioning stated that there was extensive work underway across the region to commission placements from a shared cross regional framework. The frameworks currently in place that Medway use had been added to and was able to utilise as a potential portal to work with other local authorities.

Short Break Provision - it was asked what was being done to commission services from other providers such as Demelza who were not only a hospice but were able to also cater for and tailor services to children with disabilities. The Head of Children's Commissioning responded that work had commenced to strengthen commissioning arrangements for children with disabilities. An engagement event to outline the vision and encourage various providers to work with Medway was being planned as well as consultation to identify family's needs. It was important to be able to provide a range of provision for families and carers.

Edge of Care services – in response to a question on what this involved, the Assistant Director of Children's Services said that these are made up of a range of multi-disciplinary services, including family group conferencing, specialist

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assessment and family partnership, which all offer intervention focused on preventing children coming into care.

Profile of children in care - it was asked why the profile of children coming into care was getting older. The Assistant Director of Children's Services said that the increased age of children coming into care was not unique to Medway. Some of this could be due to the Covid Pandemic and the impact on young people's emotional and mental wellbeing. It was important to remember that children could suffer neglect for a long time before it was recognised and, as part of the improvements being made through the children's improvement journey, it was expected that response to neglect would improve as well as outcomes for young people. It was impossible to anticipate what could happen with figures and it was vital to be realistic that variable factors such as an increase in Unaccompanied Asylum Seeking children would impact and inflate figures.

Leaving Care - in response to a question on how the strategy evidenced young people's readiness to leave care, the Head of Children's Commissioning said that in getting young people prepared for adulthood, they collaborated extensively with independent providers on preparation tools. The Assistant Director of Children's Social Care added that they were building internal training programmes to provide advice and guidance to support young people in moving on to independent living. The aspiration officer in the 16+ service assisted young people with education and employment training and the housing personal adviser assisted with managing tenancies.

Decision:

The Committee noted the Children's Sufficiency Strategy 2023-2025

647 Council Plan Performance Monitoring Report and Strategic Risk Summary Quarter 3 2022/23

Discussion:

The Director of People, Children and Adults' Services introduced the report and with the support of other members of the Directorate Management Team, gave updates relating to the indicators flagged as red within the report.

Members then raised a number of questions and comments, which included:

In children's services it was clear that the red risks were as a result of the recruitment and staffing challenges.

Project Team - it was asked what risks there were to quality as a result of the temporary project teams. The Assistant Director Children's Social Care said that a considerable amount of capacity was created through investment with the creation of three project teams and creation of flexible bank capacity as this was a unique way to draw in more staff but did incur most cost. The creation of the project teams was as a direct result of shortfalls in social work capacity

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across the country, including a shortfall now in locums as well. A contract management approach was being taken regarding the project teams with the teams working alongside permanent staff in order to measure their progress, quality and impact. The service managers and heads of service had oversight and undertook monthly review meetings to track the quality of work and timeliness of the work of the project team. The contract for bank staff had been agreed late summer 2022 with staff coming through late autumn and the project teams commenced in January 2023. The impact of which would take time to realise.

Risk Indicators - It was commented that it was encouraging that excess weight was now green and amber. The lesson to be drawn from this was that there was little to be achieved in targets being presented as consistently red or green and as an organisation, this needed to be managed in a systemic way by officers and leaders to find real solutions for areas that were red, as they represented real lives that were being impacted.

Eden House - in response to a question on how staff would be recruited back to Eden House following the loss of talented staff in 2020, in a climate of difficulties in recruitment, the Head of Children's Commissioning said that recruitment and workforce was a challenge. A detailed analysis had been completed to work out market rates. Due to the nature of the work of the commissioning team they were able to form good connections across networks. Two former staff from the children's home previously are currently employed in the commissioning team.

Decision:

- a) The Committee noted the Q3 2022/23 report, and the amended strategic risk summary as set out in Appendix 2.
- b) The Committee agreed for the Children and Young People Directorate Risk Summary to be presented at a future meeting.

648 Work programme

Discussion:

The Democratic Services Officer introduced the report and drew members attention to the two outstanding briefing notes, the General Report on Suicide, and the Update on Youth CIO. It was envisaged that both reports would be ready for circulation by the end of March. This would leave no outstanding actions for the 2022/23 municipal year.

The Director of People, Children and Adults' Services introduced the Addendum report which built on the valuable work completed by the Local Government Association and the Committee by bringing together proposals for development in order to improve ways of working and promote effective scrutiny.

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It was commented that extensive effort had gone into the completion of the Effective Scrutiny Self-Assessment forms by both the political groups. The themed meetings would be the first step into the new way of working and establishing the initial structural principle for the Committee which would be built on at time progressed.

Decision:

The Committee agreed to.

- a) Note the work programme as set out in appendix 1 to the work programme report.
- b) Recommend approval of the proposed ways of working outlined in section 2 of the addendum report to the first meeting of the Committee post-elections.
- c) Delegate authority for the construction of an initial themed Work Programme to the Director of People as set out in the addendum report, in consultation with the Committee Chairman, Vice Chairman and the Opposition Spokesperson, which will be presented to the first meeting of the Committee post-elections for consideration.

Chairman

Date:

Stephanie Davis, Democratic Services Officer

Telephone: 01634 332104

Email: democratic.services@medway.gov.uk